

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

KEVIN B. JOHNSON,

Plaintiff,

v.

WOODLAND PUBLIC DEFENDER'S
OFFICE-YOLO COUNTY, et al.,

Defendants.

No. 2:22-cv-1325 KJM DB P

ORDER

Plaintiff, a former county inmate proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff requests permission to proceed in this action via electronic filing. (ECF No. 18.)

The Local Rules generally require pro se parties to file and serve paper documents. See E.D. Cal. Local Rule 133(a). Pro se litigants may only utilize electronic filing if they receive permission from the assigned judge or magistrate judge. E.D. Ca. Local Rule 133(b)(2). To request an exception, the party must file “[a] motion[] setting out an explanation of reasons for the exception.” E.D. Cal. Local Rule 133(b)(3).

Plaintiff requests leave to register for e-filing as he has been released from county custody. (ECF No. 18 at 2.) Plaintiff also states that he “can not [sic] bring filings to the court anymore” as he has lost his car and home. (Id. at 1.) Plaintiff does not provide any additional explanation for his request for exemption.

1 Plaintiff has not provided a sufficient explanation for an exception to be granted. Plaintiff
2 states that he wishes to utilize electronic filing as his financial hardship is preventing him from
3 “bring[ing] filings to court.” (*Id.*) Parties are not required to personally bring filings to the court.
4 The Local Rules permit parties filing via paper documents to send their filings by mail to the
5 Clerk of the Court. See E.D. Cal. Local Rule 133(d)(1). As such, plaintiff’s explanation for his
6 request is insufficient to grant an exception to Local Rule 133(b)(2). Plaintiff’s motion (ECF No.
7 18) will be denied without prejudice to its renewal.

8 The court also notes that plaintiff has stated that he has been released from custody.
9 Plaintiff has not yet paid the filing fee or filed an appropriate application to proceed in forma
10 pauperis. The court previously directed plaintiff to pay the filing fee or submit an in forma
11 pauperis motion. (See ECF Nos. 3, 11, 16.) However, the court provided the form used for
12 plaintiff’s who are in custody. Plaintiff will be provided with the correct form for requesting in
13 forma pauperis status. Within thirty days of this order, plaintiff must either pay the filing fee for
14 this action or submit the appropriate application to proceed in forma pauperis. Plaintiff is warned
15 that failure to pay the filing fee or submit an IFP application by this deadline will result in a
16 recommendation that this action be dismissed

17 Accordingly, IT IS HEREBY ORDERED that:

- 18 1. Plaintiff’s request to utilize electronic filing (ECF No. 18) is denied without prejudice;
- 19 2. Within thirty days of this order, plaintiff must pay the filing fee or submit a properly
20 completed in forma pauperis application;
- 21 3. Failure to comply with court orders will result in a recommendation that this action be
22 dismissed; and
- 23 4. The Clerk of the Court is directed to send plaintiff a copy of the form used by non-
24 prisoners to request in forma pauperis status.

25 Dated: October 13, 2022

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27 DB:14
DB/DB Prisoner Inbox/Civil Rights/R/john1325.efile


28 DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE
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